

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HANK M. SPACONE, on behalf of and  
as Trustee for the General  
Unsecured Creditors' Liquidating  
Trust of At Home Corporation, and  
on behalf of and in the name of the  
At Home Liquidating Trust of At  
Home Corporation,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

No. C 03-4739 CW  
ORDER SETTING  
BRIEFING  
SCHEDULE FOR  
PLAINTIFF'S  
OBJECTION TO THE  
MAGISTRATE  
JUDGE'S ORDER  
GRANTING IN PART  
AND DENYING IN  
PART PLAINTIFF'S  
MOTION TO COMPEL

Plaintiff Hank Spacone, Trustee for the General Unsecured Creditors' Liquidating Trust of At Home Corporation, objects to the Magistrate Judge's August 16, 2005 order granting in part and denying in part Plaintiff's motion to compel production of post-2002 "Smart Tag Alias" e-mails.

Defendant Microsoft Corporation shall, within two weeks of the date of this order, file an opposition to Plaintiff's objection. Plaintiff shall file a reply one week later. The matter will be taken under submission on the papers.

IT IS SO ORDERED.

Dated: 9/7/05

/s/ CLAUDIA WILKEN

CLAUDIA WILKEN  
United States District Judge

**United States District Court**  
For the Northern District of California

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